

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 ICA-11
TRSE-00 SOE-02 DOE-15 CIAE-00 COME-00 EA-10
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FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2652

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 17841

USOECD

EXCON

E.O. 11652: XGDS-1
TAGS: ESTC, COCOM
SUBJECT: U.S. AND BELGIAN 1091(B) PROPOSALS

REF: (A) PARIS 15584

1. AT MAY 30 MEETING GERMAN DEL INDICATED HIS AUTHORITIES COULD ACCEPT THE CHANGES PROPOSED FOR 1091(B) IN THE U.S. PROPOSAL COCOM DOC. DEF (77) 1091/52 BUT HAVE THE FOLLOWING QUESTIONS ABOUT THE PROPOSED NOTE:

A. IN THE FIRST PARAGRAPH OF THE NOTE WHY DO THE U.S. AUTHORITIES MENTION CIVIL END-USERS AS WELL AS CIVIL END-USES?

B. ARE THE WORDS "STANDARD OR OPTIONAL" LEFT OUT OF SUB-PARAGRAPH (B) (I) (4) BY ERROR? GERMAN AUTHORITIES NOTE THAT THIS PHRASE APPEARS IN SUBPARAGRAPH (F) OF THE NOTE. USDEL RESPONDED THAT IT BELIEVED THAT THIS PHRASE WAS LEFT OUT INADVERTENTLY IN (B)(I)(4) BUT SAID THAT IT WOULD CHECK WITH THE U.S. AUTHORITIES.

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C. PARAGRAPHS (D),(F),(G) AND (H) OF THE NOTE ARE IDENTICAL WITH PARAGRAPHS (B)(I)(2), (4), (5) AND (6) OF THE DEFINITION -- IS THIS REPETITION NECESSARY? THE GERMAN AUTHORITIES SUGGEST THAT IT SHOULD BE SIMPLY STATED THAT THE CONDITIONS IN THE DEFFINITION MUST BE FULFILLED IN ORDER FOR THE ADMINISTRATIVE EXCEPTION TO BE APPLICABLE. USDEL

INDICATED THAT SINCE THIS GERMAN SUGGESTION WOULD RESULT IN THE SAME END RESULT IT WOULD PROBABLY BE ACCEPTABLE TO THE U.S. AUTHORITIES.

2. THE GERMAN DEL NOTED IN LAST SENTENCE OF PARAGRAPH (D) OF THE COMMENTS IN COCOM DOC. DEF 1091/52 THE U.S. INDICATES THAT "TO QUALIFY UNDER THE NOTE THE MACHINES COULD NOT 'EXCEED' THE CUTOFFS IN (B)(1)(2)(4)(5) OR (6)." HE SAID THAT USE OF THE WORD "EXCEED" COULD CREATE A MISUNDERSTANDING SINCE TO BENEFIT FOR THE ADMINISTRATIVE EXCEPTION NOTE THE PARAMETRIC VALVES MUST NOT BE MADE "LESS THAN" THE FIXED LIMITS IN PARAGRAPHS (B)(1)(2) AND (5). USDEL RESPONDED THAT THE U.S. AUTHORITIES IN COCOM DOC. DEF 1091/52 WERE USING THE TERM "EXCEED" TO MEAN "TO GO BEYOND THE LIMITS OF" AND THAT THIS DEFINITION WOULD COVER THE CONCERNS OF THE GERMAN AUTHORITIES.

3. GERMAN DEL ALSO SUGGESTED THAT IN THAT SAME SENTENCE THE USE OF "OR" INSTEAD OF "AND" COULD CREATE A MISUNDERSTANDING SINCE ALL SIX PARAMETERS MUST BE CONSIDERED IN ORDER FOR THE ADMINISTRATIVE EXCEPTIONS NOTE TO APPLY. USDEL RESPONDED THAT IN ITS VIEW THE WORD "OR" WAS CORRECT SINCE THE ADMINISTRATIVE EXCEPTION NOTE COULD NOT BE APPLIED EVEN IF ONLY ONE OF

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THE LIMITING PARAMETERS WERE EXCEEDED.

4. BELGIAN DELEGATE STATED IN VIEW OF HIS AUTHORITIES, JAPANESE ARE CORRECT THAT THE DISCRETE POSITIONING AXES MENTIONED IN TECHNICAL NOTE 2 OF 1091(B) ARE INDEPENDENT OF THOSE IN PARAGRAPH (B)(6) AND THAT, THEREFORE, THERE SHOULD NOT BE A LIMITATION ON THE INCREMENTS. HE NOTED, HOWEVER, THAT BELGIUM CONTINUED TO AGREE TO PARAGRAPH (B)(6) OF THE U.S. PROPOSAL.

5. FRENCH DEL INDICATED WHILE HIS AUTHORITIES COULD PROBABLY ACCEPT THE U.S. PROPOSAL BUT THEY WOULD LIKE TO KNOW THE U.S. POSITION ON THE JAPANESE QUESTION

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BEFORE GIVING ITS DEFINITIVE POSITION.

6. WITHOUT INSTRUCTIONS ON JAPANESE QUESTION, ITALIAN DEL STATED HIS AUTHORITIES COULD SUPPORT U.S. PROPOSAL EXCEPT FOR THE STATEMENT IN PARAGRAPH (B)(6)(2). ITALIAN AUTHORITIES DO NOT BELIEVE IT ADVISABLE TO HAVE SET A LIMITATION ON THE ANGULAR RESOLUTION OF THE TABLE. THEY FEEL THAT WHILE 0.5 DEGREES WOULD BE SUFFICIENT FOR A 500MM TABLE IT WOULD BE INAPPROPRIATE ON A 2000MM TABLE. FURTHERMORE, THEY BELIEVE THAT IT WOULD BE REASONABLE TO PROPOSE THAT THE ROTARY TABLE MUST BE ONLY A POSITIONING TABLE AND NOT A WORK-ING TABLE.

7. USDEL HAS RECEIVED THE MADDAGE TO GAREL MAY 30 MEMORANDUM (HAND-CARRIED BY REICHENBACK ON JUNE 1) AND WILL USE THE POINTS IN PARAGRAPH 1 TO ANSWER JAPANESE QUESTION ON THE POSITIONING AXES.

8. ACTION REQUESTED: FOR NEXT DISCUSSION AT JUNE 13 MEETING, INSTRUCTIONS FOR RESPONDING TO GERMAN S QUESTIONS RAISED (PARAS 1 AND 2 ABOVE) TO SUPPLEMENT INFORMATION PROVIDED BY USDEL.

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